



Strategic Planning Committee

A meeting of the Strategic Planning Committee will be held at the Forum, Moat Lane, Towcester, NN12 6AD on Monday 15 August 2022 at 2.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 11 July 2022.
4.	Chair's Announcements To receive communications from the Chair.
Planning Applications	
5.	WND/2021/0700 - Zone 4 Overstone Leys, Overstone Lane, Overstone (Pages 11 - 30)
6.	WNN/2021/0897 - Tnt Ipec Uk Limited, South Portway Close, Northampton, NN3 8RH (Pages 31 - 48)
7.	WNS/2022/0662/MAF - Land adjacent to M1 and Waltham Wood Courteenhall Road, Quinton, Northants (Pages 49 - 74)
8.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business

	being admitted to the agenda.
9.	<p>Exclusion of Press and Public</p> <p>In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt Public Document Pack Page 1 information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: “That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them”</p>

Catherine Whitehead
Proper Officer
5 August 2022

Strategic Planning Committee Members:

Councillor Phil Bignell (Chair)

Councillor Ann Addison (Vice-Chair)

Councillor Jonathan Harris

Councillor Rosie Herring

Councillor Stephen Hibbert

Councillor James Hill

Councillor David James

Councillor Charles Manners

Councillor Ken Pritchard

Councillor Bob Purser

Councillor Jake Roberts

Councillor Cathrine Russell

Councillor John Shephard

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

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Queries Regarding this Agenda

If you have any queries about this agenda please contact Diana Davies, Democratic Services via the following:

Tel: 01327 322195

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

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Strategic Planning Committee

Minutes of a meeting of the Strategic Planning Committee held at Forum, Moat Lane, Towcester, NN12 6AD on Monday 11 July 2022 at 2.00 pm.

Present Councillor Phil Bignell (Chair)
 Councillor Ann Addison (Vice-Chair)
 Councillor Jonathan Harris
 Councillor Stephen Hibbert
 Councillor James Hill
 Councillor David James
 Councillor Ken Pritchard
 Councillor Bob Purser
 Councillor Cathrine Russell
 Councillor John Shephard

Substitute
 Members:

Also
 Present:

Apologies Councillor Rosie Herring
 for Councillor Charles Manners
 Absence:

Officers Diana Davies, Democratic Services Officer
 Jeverly Findlay, Committee Officer
 Rebecca Grant, Major Projects Officer, Planning Department Daventry
 Paul Seckington, Head of Development Management and
 Enforcement

60. **Declarations of Interest**

None advised.

61. **Minutes**

That the Minutes of the Strategic Planning Committee of the 9 May 2022 be approved and signed as a correct record.

62. **Chair's Announcements**

The Chair welcomed new members to the Strategic Planning Committee and confirmed the additional monthly dates to be included in the municipal calendar as: 12 September 2022, 14 November 2022, 23 January 2023 and 20 March 2023.

63. **WNS/2022/0292/MAR Phase 1 and PART Phase 1B Norwood Farm, Land East of Sandy Lane Harpole**

For the Reserved Matters application (appearance, landscaping, layout and scale) relating to Phase 1 and PART Phase 1B (as shown on Indicative Phasing Plan 24556 RG-M-80 Rev G dated 20.10.20) for the provision of 349 dwellings, in accordance with planning permission ref S/2016/1324/EIA (The outline application was accompanied by an Environmental Statement). The area was allocated in the Local Plan as policy area N9A. The land was currently predominantly used for arable farming, but also for a plant nursery and scrapyards. Outline planning permission for the site had been approved in June 2020.

The Principal Planning Officer outlined the information in the report and updated the committee with regard to the comments received from Highways, as follows:

- Approved access plans for Sandy Lane relief road and the new access.
- Proposed layout plan showed 349 dwellings, including access to Berry Wood road Local Equipped Area of Play (LEAP) and Sustainable Urban Drainage (SUDS) included 52 affordable dwellings within the agreed percentage in the Section 106 agreement
- Another development phase would cover the Sandy Lane relief road.
- Dwellings were laid out, in 3 main areas, the primary street, Sandy Lane frontage and side streets with an urban core area, with two key gateway buildings to mark the important junction and viewpoints
- The LEAP would include 9 pieces of play equipment, include bench litter bins and enclosed in metal hooped topped fence

The Principal Planning Officer provided verbal updates in relation to issues that had been outstanding at the time of writing the report:

- Paragraph 8.6 - referred to brick boundary enclosures. An acceptable alternative had been agreed and dwarf brick wall would be provided with a slatted fence.
- Paragraph 8.13 - house design - acceptable changes made to the siting of chimneys.
- Paragraph 8.2.9 – the issue of visitor parking conflicting with the access to businesses had been addressed.
- Paragraph 8.30 - parking, awaiting Highways comments regarding the separation of the frontage parking bays at 129-131.
- Paragraph 8.3.5 – additional planting for bins and bike store.
- Paragraph 8.37 - the number of footpath connections had now been reduced to limit the number of breaks in the existing hedge.
- Paragraph 8.44 - the residential amenity separation distance had been amended to meet the 18m minimum standard set out in the Design Guide, for plots 137-138.

In response to Members' enquiries, the Principal Planning Officer advised that the build of the LEAP would be linked to the number of occupations, the S.106 agreement included a timetable for the development. The Planning Solicitor advised Members that the play areas would be provided at 50% of the occupation of the site.

The percentage of affordable homes that would be provided was 15% which had been determined as viable in this phase. This could increase to 17.5% in later phases, as the Section 106 agreement contained a clause to ensure this was reviewed after 800 units had been delivered.

No provision had been made for a secondary school within the development; should the education authority consider there was a need in the future, provision could be made through the Community Infrastructure Levy.

There were ongoing discussions with a view to the provision of bus routes for the area. Electric Charging Vehicle Points could be expected to be provided in accordance with the outline consent.

Highways had been consulted on the Design Code and had not objected to the width of the primary roads which were stated as being 6.3 metres.

In response to a member's enquiry, the Senior Manager – Development Management informed the committee that the number of affordable houses had been determined as part of the viability assessment in 2016 however the number of affordable dwellings could be increased, as aforesaid.

Environmental protection had been consulted and made a recommendation to provide noise mitigation within the properties. A condition had been added to the outline consent to provide an acoustic fence to mitigate noise.

In response to a Member's concern that maintenance of the open spaces would be carried out by a management company funded via an ongoing service charge for residents, the Principal Planning Officer confirmed that Harpole Parish Council had expressed an interest in adopting the open spaces and the S.106 Agreement would secure commuted sums for Harpole PC.

The Illustrative Master Plan showed the extent of the SUE. It was anticipated that the community building would be built in the second phase.

In response to a Member's enquiry with regard to concerns that the road may not be built to adoptable standards, the Planning Solicitor advised that it would be a matter for the Highway Authority to determine if the roads were being built to an acceptable standard and evidence would need to be provided that the roads would be adopted through a S38 agreement.

The gateway buildings were designed to be notable to act as a reference point and landmark and to provide a greater presence to the park area in front.

The application included the provision of an active travel plan, including the public footpaths and linkage into the country park. Provision for a Pegasus crossing on the bridleway would also be provided.

Within the developments, 550 houses could be occupied before the relief road was operational.

Exercising the Chair's discretion, the Agent, an Objector and the Ward Member were invited to address the committee. All declined.

Members raised concerns that there were a number of outstanding highways issues and requested that the recommendation be strengthened to ensure these issues were resolved. The Principal Planning Officer advised that virtually all of the issues had been resolved as set out in the written update.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speakers and the written and verbal updates.

Councillor Stephen Hibbert proposed the application be approved, this was seconded by Councillor James Hill and, being put to the meeting, was declared carried unanimous.

RESOLVED:

To delegate to the Assistant Director for Growth, Climate and Regeneration to grant permission subject to:

1. Conditions (And any amendments to those conditions as deemed necessary); and
2. Receipt of satisfactory amendments regarding the design, layout and landscaping;

If the design, layout and landscaping are not satisfactorily resolved by 21 July 2022 and not extension of time has been agreed between the parties it further recommended that the Assistant Director for Growth, Climate and Regeneration is given delegated authority to refuse the application on the following grounds

- Unacceptable design in conflict with the approved Norwood Farm Design Code and/or the South Northants Design Guide and/or
- Loss of privacy for existing residential occupiers and unacceptable levels of privacy for future occupiers and/or;
- Harm to highway safety and/or;
- Harm to wildlife/biodiversity

64. C/2019/0750/1 Land at Malabar Farm, Staverton Road, Daventry

For the Outline application (all matters reserved except principal means of access to highways) for a mixed use development including up to 1100 dwellings, a 2 form

entry primary school, local centre (A1, A2, A3, A4, A5 & D1/D2 including C2/C3 facilities, associated landscaping and demolition works. Discharge of condition 8 - Design Code.

The Major Projects Officer outlined the information in the report to Committee which sought to discharge condition 8 of the outline planning permission for the development by agreeing the Design Code. The Committee were also updated with regards to the late consultation responses received.

The Design Code needed to be read in conjunction with Design and Access Statement documents and the Master Plan. The Design Code provided a clear vision and an appraisal of the area. Four neighbourhood character areas were proposed: Town, Core, District and Edge and these would be linked to key areas of open space.

In response to Members' enquiries, the Major Projects Officer advised that:

The ownership of the footbridge over the A45 (known locally as the curly wurly bridge) would be retained by West Northants Council (WNC) as an asset and WNC would be responsible for maintenance. Highways would provide signage to recommend cyclists 'dismount' when using the bridge. Provision had been made for pedestrian and cycle routes across the site.

Comments from the Highway Authority had been received and the recommendation asked for delegation for the details of the application to be approved, subject to final comments from the statutory consultees. There would be a pedestrian crossing installed over the A45. Noise mitigation and traffic management requirements would be given consideration at each reserved matters application. The next stage would be for the developer to submit reserved matters applications. The dwellings would be set back from the A45 and it was understood that there would be speed reductions introduced on this part of the A45.

Craig Wall, the agent addressed the Committee and referred to the network of highways, environmental factors, urban design, healthy movement and play areas.

In response to Members enquiries, the Agent advised that the anticipated percentage of affordable homes that would be provided on the site was 25%.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speaker and the written updates.

Councillor David James proposed the application be approved, this was seconded by Councillor Ken Pritchard and being put to the meeting was declared carried unanimous.

RESOLVED:

To delegate to the Head of Development Management to approve the details submitted pursuant to Condition 8 (Design Code) subject to receiving final comments from consultees and the design code being updated as necessary.

65. **Urgent Business**

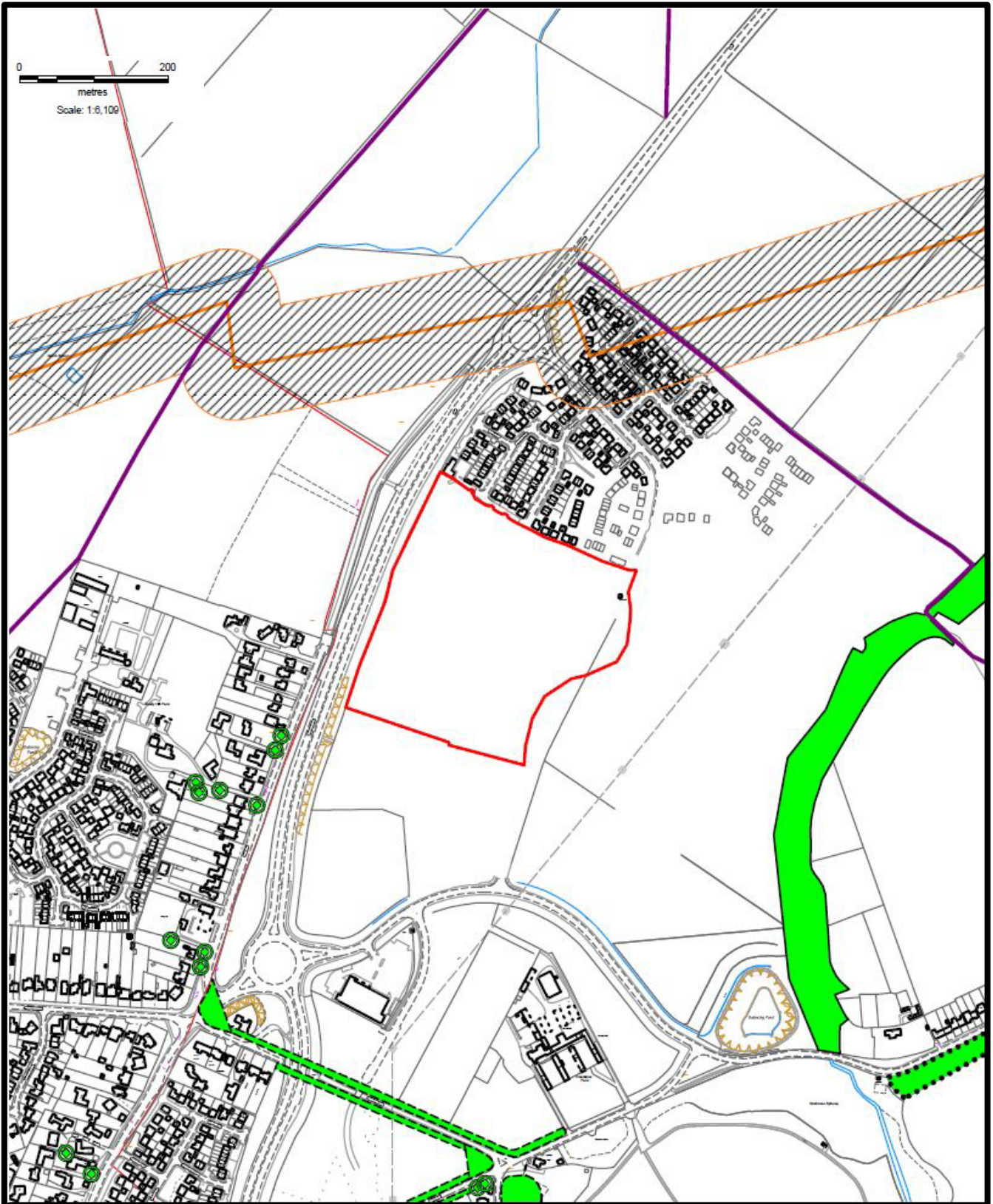
There were no items of Urgent Business.

The meeting closed at 3.30 pm

Chair: _____

Date: _____

Parish: Overstone











Town/Village: Overstone

Site Area: 7.4 ha

Grid Location: SP 266752 479701

Map Scale: 1:6,109

-  Site
-  Footpath
-  Parish
-  Gas Pipeline
-  Gas Pipeline
-  TPO
-  TPO Wood
-  TPO Wood

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<u>Application Number:</u>	WND/2021/0700
Location:	Overstone Leys, Overstone Lane, Overstone
Proposal:	Reserved matters application – Zone 4 – 223 dwellings including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (open space), Condition 26 (internal noise levels), 36 (bus stops), 37 travel plan) and 38 (public rights of way).
Applicant:	BDW Trading Ltd (David Wilson Homes South Midlands)
Agent:	N/A
Case Officer:	Rebecca Grant
Ward:	Moulton
Reason for Referral:	Relates to Overstone Leys Sustainable Urban Extension
Committee Date:	15/08/2021

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING BE GIVEN DELEGATED POWERS TO GRANT PLANNING PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS AND SATISFACTORY RESOLUTION OF SURFACE WATER DRAINAGE MATTERS.

Proposal

The application is a reserved matters application for Zone 4 of Overstone Leys Sustainable Urban Extension.

Outline planning permission was granted in 2015. A number of reserved matter applications have since been approved for Zones 1, 2, 3, 5, 8 and 9 together with a food store and care home within the local centre.

Following negotiations, the applicant now proposes 223 dwellings. A number of amendments have been made to ensure that the development is in accordance with the Design Code approved by a discharge of condition application.

The site proposes a total of 47 affordable units which is 21% of the units. The S106 requires 15% of dwellings to be affordable and therefore the application is in accordance with the S106 agreement.

Consultations

The following consultees have raised **no objections** to the application:

- WNC Highways, WNC Ecology, WNC Environmental Health, WNC Policy Team, WNC Archaeology, Moulton Parish Council, Overstone Parish Council.

No representations have been received in response to the application.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Character of Development (accordance with Design Code, density, pedestrian footpath and materials)
- Landscape and Open Space
- Affordable Housing
- Noise
- Drainage

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 Overstone Leys is located to the north of Northampton. The overall site has direct access via 2 roundabouts and a signal controlled crossing off the A43. A spine road travels through the site and links to Sywell Road. The spine then continues south adjacent to the local centre (Aldi and care home) to a signal controlled access further along the A43. Whilst the infrastructure is in place, this spine road is not yet fully open.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings. This forms part of the West Northamptonshire Joint Core Strategy (WNJCS) policy N3.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the east of the site is the A43, to the south is partly the local centre and partly Sywell Road, to the north and west are further residential phases of development.
- 1.4 The first phase was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced.

Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Work has also now commenced on Zones 3 and 8. The site is progressing at some speed.

- 1.5 The remainder of WJCS policy N3 falls Overstone Green SUE (planning reference DA/2020/0001). This is an outline application for an urban extension consisting circa 1600 dwellings, a new section of A43 dual carriageway, local centre, care home, community hub, employment, primary school and associated open space and infrastructure. This application has a resolution to approve subject to agreeing the S106 agreement.
- 1.6 This application forms Zone 4 of the development. Zone 4 is bound by the A43 to the west and the proposed primary street corridor is to the east. Vehicular access is taken from the northern roundabout to the A43/Kettering Road through the development via the approved spine road off Sywell Road.
- 1.7 To the north of the application site is Zone 2 and to the south is Zone 5. Both of these Zones have reserved matters approval. Work has commenced on Zone 2.

2. CONSTRAINTS

- 2.1. The application site falls within the Overstone Leys Sustainable Urban Extension. There are no constraints within the application site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application is a Reserved Matters Application for Zone 4 of the Overstone Leys Sustainable Urban Extension (SUE). The proposal is for 223 dwellings of which 47 units will be affordable. This equates to 21% affordable units. 15 of which are to be shared ownership and 32 units are to be affordable rent.
- 3.2. The scheme will deliver;
Affordable units;
One bed maisonette x 2 units
Two bed house x 21 units
Three bed house x 20 units
Four bed house x 4 unit

Market units;
Two bed houses x 10 units
Three bed houses x 66 units
Four bed houses x 100 units
- 3.4 The location of the affordable housing within Zone 4 has been positioned to be within close proximity to the local centre for good access to public transport links and local services.
- 3.6 With regards to the amended proposal, the following changes have been made;
 - A43 frontage – plots repositioned and apartment block removed
 - Primary Street – boulevard trees now shown on layout to align with landscape drawing.
 - General Neighbourhood – character area has been amended to show a more informal setback with varied gaps between dwellings.

- Garages – house type pack updated with note to identify different colour garage doors between various character areas to aid legibility.
- Ecology – enclosures updated to secure 1 hedgehog hole per dwelling.
- Housing mix – updated to include more 3 bed units as highlighted by WNC’s Affordable Housing Officer.
- Density – removal of 6 units (from 229 to 223) to reduce density to 39 dph in line with discussions held with Overstone Parish Council.
- Highways – a number of revisions have been made to address outstanding issues raised by the LHA.

4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
DA/2015/0263/NCC	Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	No objection
DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 – approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	Approved 20.02.2017

DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to 2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	Approved 14.06.2017
NMA/2017/0082	Non material amendment to application DA/2013/0850 (outline application for up to 2000 dwellings) to revise access arrangement for Phase 1A – approved 12.10.17 DA/2017/1262 Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	Approved 20.06.2018
NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/0490	Reserved matters application for 172 dwellings and supporting infrastructure including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (Travel Plan) and Condition 38 (public rights of way)	Approved 17.03.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground investigation), Condition 23 (closure report), Condition 25 (ground gas) and	Approved 27.04.2021

	Condition 43 (Compensatory Habitat Creation)	
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	Refused 29.10.2021
WND/2021/0072	Reserved Matters application (Zone 8) (Appearance, landscaping, layout & scale) for 64 dwellings and supporting infrastructure pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (travel plan), Condition 38 (public right of way) and Condition 16 (tree protection).	Approved 26.10.2021
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	Approved 26.10.2021
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	Approved 29.10.2021
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	Refused 10.05.2022
WND/2021/0870	Reserved matters application (access, appearance, landscaping, layout and scale) for 123 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping),	Approved 23.02.2022

	Condition 18 (Foul Water), Condition 26 (acoustic report), Condition 36 (bus stops), Condition 37 (travel plan) and Condition 38 (public rights of way) - Resubmission of application DA/2020/1178.	
WND/2021/0860	Hybrid application for detailed approval for site access, provision of petrol filling station with convenience store: two food & drink units (with drive-thru lanes), retail units & 119 parking spaces & public access routes. Outline application (with matters of scale, access & layout to be determined) for an employment unit; a nursery, 21 parking spaces and public access routes.	Still to be determined.
WND/2022/0234	Reserved matters application (appearance, layout and scale) for construction of 69 dwellings (Zone 10) pursuant to outline approval DA/2013/0850.	Still to be determined.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA Presumption in Favour of Sustainable Development
- S1 Distribution of Development
- S10 Sustainable Development Principles
- H1 Housing Density and Mix and Type of Dwellings
- H2 Affordable Housing
- N3 Northampton North Sustainable Urban Extension
- C1 Changing Behaviour and Achieving Modal Shift
- C2 New developments
- BN1 Green Infrastructure Connections
- BN2 Biodiversity
- BN9 Planning for Pollution Control

Daventry Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- H08 Housing Mix and Space Standards
- CW1 Health and Well Being
- CW2 Open Space Requirements
- ST1 Sustainable Transport Infrastructure
- EN1 Landscape
- ENV4 Green Infrastructure
- ENV5 Biodiversity
- ENV10 Design

Neighbourhood Plan (NHP)

5.5. Overstone Neighbourhood Plan 2019 – 2029 – made on 3/12/2021.

Material Considerations

5.6. Below is a list of the relevant Material Planning Considerations

Supplementary Planning Guidance e.g. SPG on house extensions etc.
National Policies the National Planning Policy Framework (NPPF)
Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of homes
Chapter 8 Promoting healthy and safe communities
Chapter 12 Achieving well-designed places

Technical Housing Standards – Nationally Described Space Standard (NSS, 2015)
National Design Guide 2019
Northamptonshire Parking Standards 2016
Local Highway Authority Standing Advice 2016

Daventry Supplementary Planning Documents

Biodiversity Supplementary Planning Document (2017)
Housing Supplementary Planning Document (2017)
Planning Out Crime in Northamptonshire (2004)

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full via the online Planning Register.

Consultee Name	Comment
Moulton Parish Council	No objection
Overstone Parish Council	Support
WNC Local Highway Authority	No objection All comments have been addressed.

Northants Police	No comments received at time of drafting the report. No comments on the original application.
WNC Ecology	No objection
WNC Environmental Health	No objection
WNC Landscape Officer	No comments received at time of drafting the report
WNC Policy Team	No objection
WNC Archaeology	No comments on amended scheme

7. RESPONSE TO PUBLICITY

- 7.1. Below is a summary of the third party and neighbour responses received at the time of writing this report.
- 7.2. No representations have been received in relation to the consultation.

8. APPRAISAL

Principle of Development

- 8.1. The application site falls within the policy N3 allocation of the WNJCS. Policy N3 states that the development will make provision for:
- In the region of 3,500 dwellings;
 - Primary school provision to cater for the needs of the development;
 - A total of approximately 10ha of land for local employment opportunities;
 - At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
 - A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
 - A local multi modal interchange;
 - A43 corridor mitigation measures
 - An integrated transport network focused on sustainable transport;
 - Structural greenspace and wildlife corridors
 - Sports and leisure provision;
 - Archaeological and ecological assessment of the site and required mitigation; and
 - Flood risk management
- 8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision

for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.

- 8.3. Planning permission has now been approved for residential Zones 1, 2, 3, 5, 8 and 9. Planning permission has also been granted for an Aldi convenience store and a care home, both of which are within the southern part of the local centre. A hybrid application (outline and full planning permission) has recently been submitted for a local centre to the north of Sywell Road. This is still to be determined.
- 8.4. The application is in accordance with policy N3 of the WNJCS.
- 8.5. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

Impact on Highway Safety

- 8.6. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.
- 8.7. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.
- 8.8. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.
- 8.9. The revised scheme submitted has addressed all of the issues raised by the LHA. The LHA have no objection to the application.
- 8.10. WNC Highways approve the submitted Travel Plan and are satisfied that the condition can be discharged.
- 8.11. Given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

Impact on the Character of the Development

- 8.12. The design principles for the development were established through the Design and Access Statement submitted with the outline planning application and the discharging of Condition 12 attached to the outline planning permission (ref DA/13/0850). Condition 12 required a Design Code to be submitted and approved prior to any works commencing to the east of the A43.
- 8.13. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and set out generic

design principles. It is considered that the layout is in accordance with the approved Design Code and also follows the principles established with the approved scheme for Phase 1 and 2. A variety of house types are proposed in order to create an interesting residential environment and one which has character. The layout is designed around the spine road which leads off to further phases of the development.

8.14. Policy ENV10 states;

- A. Development that is of a high quality and, in particular, the proposals of an exemplary and innovative design that reflect and integrate with the surrounding area and create a strong sense of place, will be supported. High quality design is achieved by;
- i. Promoting or reinforcing local distinctiveness and enhancing its surroundings;
 - ii. Taking account of local building traditions and materials;
 - iii. Ensuring that the scale, density, massing, height, layout and access of the proposal combine to ensure development blends well within the site and with its surroundings;
 - iv. Incorporating crime prevention measures in the site layout and building design;
 - v. Integrating existing landscape features of the site with proposed landscaping and open space;
 - vii. Providing details of suitable comprehensive landscaping scheme;
 - viii. Protecting the amenity of new and existing dwellings and not compromise the function of existing surrounding uses.

8.15. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and sets out generic design principles. The Design Code Regulating Plan indicates that the application site falls within four character areas, A43 frontage, Primary frontage, General Neighbourhood and Central Area.

8.16. The A43 is characterised by;

- Higher proportion of terraces/semi-detached
- Small gaps between buildings
- Contemporary design
- Consistent detailing
- Limited materials palette (Primary red/Secondary up to 40% buff – grey/red roof tiles).

A section of the site fronts the A43. A number of revisions have been made to this character area. Plots have been repositioned to ensure that gardens are to the rear and no longer side on to the A43. A number of plots have also been reoriented so that the roof of the dwelling no longer appears at odds due to differing ground levels. The house type pack has been updated to ensure that house types are more contemporary and align with Zone 5. The apartment block has also been removed from the scheme.

The design of the dwellings along the A43 frontage are contemporary with the use of flat roof porches and non-standard window design with grey frames. The dwellings are all red brick.

8.18 The Primary Street is characterised by;

- Semi-detached/terraces/some large detached
- Symmetry and formality
- Regular set backs
- Boulevard trees with regular spacing
- More contemporary design

- Limited materials palette (Primary red/Secondary up to 20% buff, up to 20% render grey/red roof tiles).

The Primary Street follows the design approach to the A43 with a more contemporary feel. The dwellings along the Primary Street are predominately semi-detached with detached dwellings on the corner plots. There is one row of 3 terraced properties but this is set back from the road with open space to the frontage. Whilst the majority of dwellings are red brick, three corner units are built in buff bricks with gable ends facing the Primary Street. The use of flat roof porches and non-standard window design with grey frames add to the more contemporary feel. The front doors are however a different colour to the A43 frontage. Boulevard tree planting is a feature along the Primary Street.

8.19 The General Neighbourhood is characterised by;

- Detached/semi, limited terraces
- Varied gaps between dwellings
- More informal setback
- Varied parking arrangement
- Traditional design
- Broad materials palette (buff/timber/weatherboard/red/render)

The General Neighbourhood follows a more traditional approach with pitch roofed dormers with white window frames. A broader palette of materials are proposed with red and buff bricks with also the use of render.

8.21 It is considered that the layout of the site is in accordance with the approved Design and as such is in accordance with Policy EMV10 of the Daventry Local Plan (Part 2).

Density

8.22 With regards to density, Policy H1 of the West Northamptonshire Joint Core Strategy (WNJCS) requires development with Sustainable Urban Extensions (SUE) to achieve a minimum average density of 35 dwellings per hectare (dph).

8.17. The proposed layout achieves a density of 39 dph for Zone 4. Overstone Parish Council originally raised concern with the density of Zone 4 as it was over 40 dph. The applicants have worked with Overstone Parish Council to reduce the density of this phase. With the removal of 6 units, the density is now 39 dph.

8.18. Whilst this application is for Zone 5 only, it is important to consider the development within its wider context of the overall SUE, where character areas are diverse and density varies to create character and a sense of place. For background information, consented applications near the rural edges of the site deliver average densities below 30 dph which drives overall average density of the SUE down. Therefore, if all consented and pending layouts for all zones within the Overstone Leys SUE are considered, the average density of the SUE will achieve 33 dph. This is considerably lower than Policy H1 of the WNJCS which requires an average density of 35 dph.

8.19. The applicants have provided the following breakdown of each Zone;

Approved Zone 1A and 1B	31 dph
Approved Zone 1 and 2	33.5 dph
Approved Zone 3	31 dph
Submitted Zone 4	40 dph (adjacent to A43)

Submitted Zone 5	44 dph (adjacent to A43)
Indicative Zone 6	29 dph (adjacent to rural edge)
Indicative Zone 7	27 dph (adjacent to rural edge)
Approved Zone 8	29 dph (mixture of character areas including rural edge)
Resolution to approve Zone 9	32 dph
Approved Zone 10	34 dph
Overall Site Average	33.05 dph

8.20. Whilst the density within Zone 4 is slightly higher than other Zones within the SUE, this is due to its location adjacent to the A43 and its proximity to the local centre. The higher density within this Zone will create a specific character area and will help to create a sense of place and will aid way finding across the site. Zone 4 (and approved Zone 5) for example will be significantly different from Zones 3, 6 and 7 which back on to the rural edge where densities are considerably lower as there is a looser form of development.

8.21. The site should not be viewed in isolation but in conjunction with the whole of the Overstone Ley SUE.

Impact on the Character of the Development - Materials

8.22. The materials palette across the three character areas within Zone 4 accords with the approved Design Code. The areas are set out below;

8.23. A43 corridor – The materials palette is limited with the use of red bricks and grey roofs.

8.24. Primary Street – Again limited palette of materials with predominately red bricks with the introduction of the occasional use of render of the gable element of the Hesketh house type.

8.25. General Neighbourhood – an extensive materials palette is proposed with the general neighbourhood area.

8.26. The materials proposed are as approved on other phases of development and are therefore considered to be acceptable.

Impact upon Residential Amenity

8.27. Currently the nearest residential properties are within Zone 2 to the north of the application site. These dwellings are on both zones (2 and 4) are separated by the SUDS. There are therefore no issues of potential overlooking/overshadowing to existing/proposed dwellings due to the substantial distance between properties. Zone 5 is to the south of the site and again there are SUDS separating both developments so again no issues of potential overlooking.

8.28. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking.

8.29. A significant constraint on the site is the difference in levels within three of the development blocks. The site has been designed to take account of the levels with dwellings being offset from each other, having tiered gardens, pushing back distances between properties as far as possible and removing the need for significant retaining walls. Sections have been provided to illustrate the relationship between dwellings. Four different sections have been provided to illustrate how boundary treatments will be dealt with around the site. Rather than the use of 2/3m retaining walls on top of which

boundary screening would be required, where levels are most significant, the applicants propose to tier the gardens for both properties. This prevents overlooking from the properties on the upper side and creates private amenity space for residents. This results in the boundary only being a standard 1.8m close boarded fence with a small retaining wall. A drawing has been provided to illustrate which section will be used in which scenario.

- 8.30. At the time of drafting the report, the applicant is reviewing if the dwellings can be pulled back even further from each other to increase the back to back distance between properties. An update will be provided at committee.
- 8.31. Notwithstanding the submission of revised drawings, on balance, it is considered the layout has been designed to take account of levels and how dwellings will relate to each other in terms of overlooking and overshadowing. It is therefore considered that the proposal is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

Landscape and Open Space

- 8.32. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.
- 8.33. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided.
- 8.34. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.
- 8.35. This reserved matters application includes landscaping for the site. A Neighbourhood Equipped Area of Plan (NEAP) is proposed in the north east corner of the site adjacent to the SUDS to the north and spine road to the east. The NEAP is 1000m² and is positioned in accordance with the Masterplan. The NEAP is offset 30m from the nearest dwellings and is surrounded by open space which extends south fronting the spine road. Seven pieces of equipment will be provided within the NEAP and differences in ground levels will be utilised in order to add interest.
- 8.36. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.
- 8.37. It is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

Affordable Housing

- 8.38. The site falls within West Northampton Joint Core Strategy (WNJCS) policy H2 (Affordable Housing) which states that on all housing development of five or more dwellings in Northampton Related Development Area (NRDA), 35% should be provided as affordable housing.

- 8.39. The applicants submitted an affordable housing viability assessment with the outline planning application stating that the Overstone Leys development would not be financially viable if they were required to provide 35% affordable housing. The Council employed an external consultant to verify the applicant's viability report. The conclusions of the report confirmed that the quantum should be reduced to 15%. Therefore, on a scheme of 223 dwellings we would expect 33 affordable housing units to be provided.
- 8.40. Plan submitted illustrate that 47 units (21%) affordable dwellings within Phase 4. It has been agreed that there should be some flexibility allowed in the zones to allow for more affordable dwellings to be delivered near to the local centre. Zone 4 is over providing affordable dwellings and together with Phase 5 (which has been approved) will correct the under delivery in Zone 3 (which is adjacent to the rural edge).
- 8.41. The scheme will provide 21% affordable units which comprise;
- One bed maisonette x 2 units
 - Two bed house x 21 units
 - Three bed house x 20 units
 - Four bed house x 4 unit
- 8.42. The applicants have submitted information to show how the overprovision in Phase 4 will be resolved in other phases (phase 3 for example where there is a lower number of affordable units) to make the numbers overall compliant with the viability case. 21% affordable housing provision is therefore acceptable.
- 8.43. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre. The tenure split for this zone is 32 rent and 15 shared ownership. Whilst this is not quite policy compliant (33 affordable rent/14 shared ownership) this is considered to be acceptable as the mix must be viewed as the whole of the site so this slight discrepancy is acceptable for this phase.
- 8.44. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

Other considerations

- 8.45. National Space Standards - Policy H08 part Ciii) requires that all dwellings should meet the national space standards. All of the dwellings meet the minimum national space standards for the minimum number of people for each dwelling type. We are however unable to require the applicant to increase the size of these units to meet maximum occupancy conditions as there were no conditions attached to the outline planning permission requiring the development to adhere to these requirements. The applicants sought legal advice which concluded that there is a plethora of case law and appeal decisions which supports and confirms the position that prescriptive details cannot be imposed as requirements at reserved matters stage unless details were first secured as part of the outline planning permission. The reserved matters can only properly deal with those requirements set out in the Order. Provided the reserved matters application falls within the principle of what was approved as part of an outline planning permission

(together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.

Discharge of Conditions.

The applicants have proposed to discharge a number of conditions attached to the outline consent (DA/2013/0850) with this reserved matters application.

- 8.46. Condition 15 – Open Space – Seeking confirmation from WNC Landscape Officer (Daventry Area). An update will be provided at Committee.
- 8.47. Condition 26 – Acoustic Report – Environmental Health Officers have confirmed that the noise report is satisfactory and the condition can be discharged.
- 8.48. Condition 36 – Bus stops – No bus stops are proposed adjacent to this Zone along Sywell Road or the spine road. A plan illustrating bus stops is included within the Travel Plan which has been approved by the LHA. A bus stop is provided just north and south east of the application site.
- 8.49. Condition 37 – Travel Plan – The LHA have confirmed that the Travel Plan is acceptable and the condition can be discharged for this zone of development.
- 8.50. Condition 38 – Public Rights of Way – There are no public rights of way affected by the development.

9. FINANCIAL CONSIDERATIONS

- 9.1. CIL payments are not applicable to this site as the outline consent was approved prior to CIL being adopted.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The planning system is actively encouraged to assume a presumption in favour of sustainable development rather than being an impediment to sustainable growth. The site, being located with the Overstone Leys SUE will have a good level of accessibility and be within reasonable walking and cycling to the local centre. Taking the above into account, this development is considered to be acceptable.
- 10.2. The proposal has been designed in accordance with the parameter plans approved at outline stage and the Design Code which was approved via the discharge of Condition 12 attached to the outline approval. It is also considered that the scheme accords with the principles established at outline stage with regards to the levels of open space provided on site. The development must be viewed as part of the whole Sustainable Urban Extension and not in isolation.
- 10.3. On balance, it is considered that the proposal is acceptable in planning terms and hence overall complies with policies SA, S1, S10, H1, H2, N3, C1, C2, BN2 and BN9 of the West Northamptonshire Joint Core Strategy and policies H08, CW1, CW2, ST1, ENV1, ENV4, ENV5 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020).

11. RECOMMENDATION / CONDITIONS AND REASONS

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING TO GRANT PERMISSION, SUBJECT TO:

- 1. FINAL LAYOUT PLANS BEING SUBMITTED AND CONSIDERED SATISFACTORY WITH REGARDS TO THE BACK TO BACK DISTANCE BETWEEN DWELLINGS, AND**
- 2. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS OR ADDITIONAL CONDITIONS AS DEEMED NECESSARY)**

CONDITIONS

Approved plans

1. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

(Drawing numbers to be updated following amendments. To be set out in late items)

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any change to the approved plans.

Removal of PD Rights for Means of Enclosure to Fronts

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no alterations shall be made to any means of enclosure hereby approved that front a highway, footpath or private drive, and no new means of enclosure shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway, footpath or private drive, in either case without the prior written consent of the Local Planning Authority. For the avoidance of doubt, 'means of enclosure' shall include fences, gates, railings, walls or hedges. Any gates shall be set back 5.5m from the highway boundary.

Reason: In the interests of the visual amenity of the area and of highway safety and in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2).

Soft Landscaping

3. The submitted and approved landscape scheme shall be implemented prior to any dwellings being first occupied/used, or in accordance with a programme submitted to and approved in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity of the area and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

Access and Parking

4. The garages, parking spaces and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than garaging/parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway in accordance with Policies ENV10 and SP1 of the Settlements and Countryside Local Plan (Part 2).

Boundary Enclosures

5. The approved boundary enclosures (walls and fences), in respect of those dwellings which are intended to be enclosed//screened, shall be erected prior to the first occupation of those dwellings.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the privacy and amenities of the occupants of the existing and proposed dwellings in accordance with Policies ENV10 of the Daventry Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

Affordable Housing

6. The quantum, disposition and type of affordable housing within the site shall as shown on the Affordable Tenure Plan 1032_008 A and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

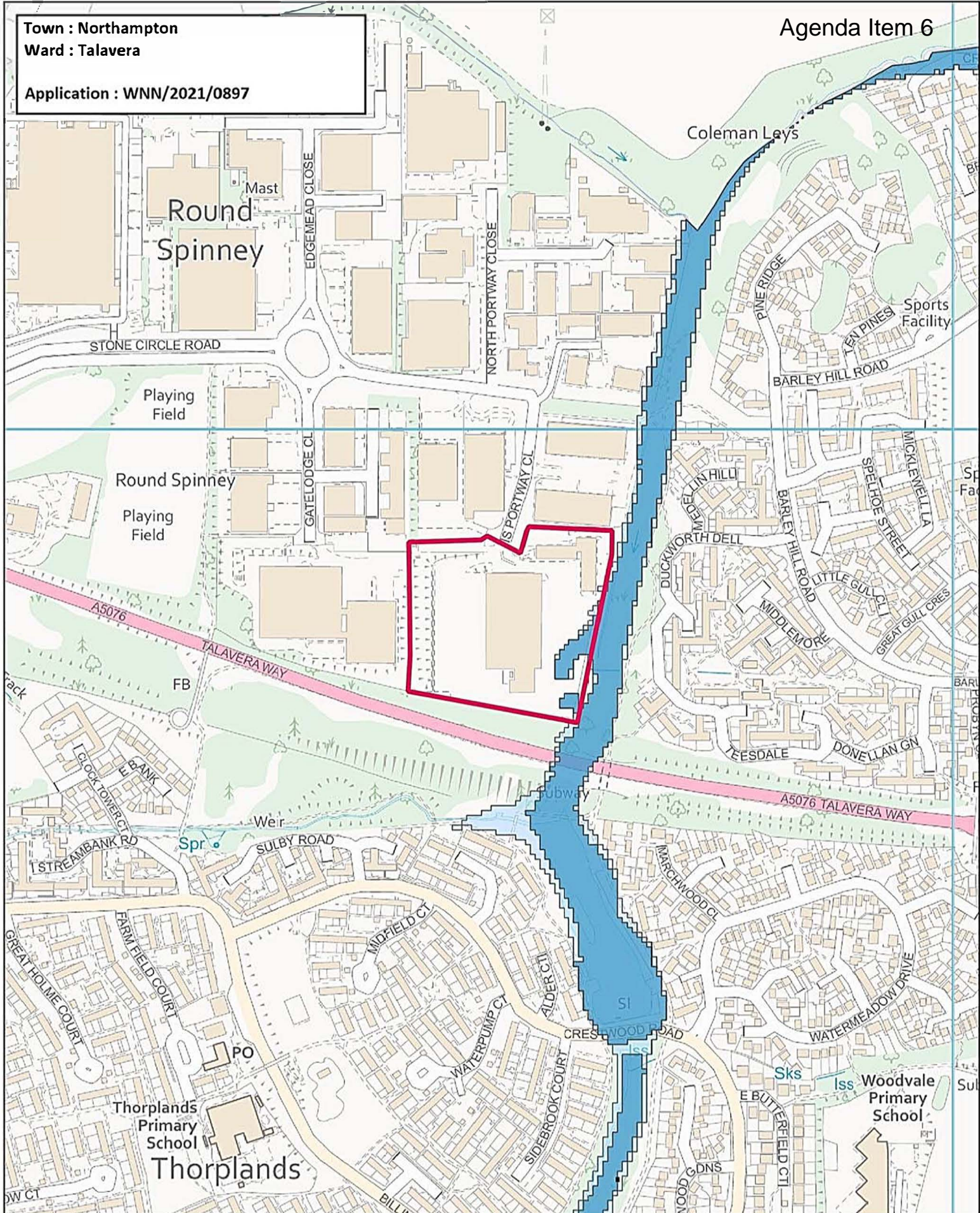
Reason: In the interests of providing an appropriate level and standard of affordable housing.

INFORMATIVES:-

1. As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies:
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.
2. Your attention is drawn to the need to comply with the conditions and the Section 106 Agreement imposed on the outline planning permissions DA/2013/0850.

Town : Northampton
Ward : Talavera


Application : WNN/2021/0897



Site: South Portway Close
Town: Northampton Ward: Talavera
Grid Location: SP79542 4806
Area of site: 3.9Ha

Key

Site = 

Flood Zone =  Page 31

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<u>Application Number:</u>	WNN/2021/0897
Location:	Tnt Ipec Uk Limited, South Portway Close, Northampton, NN3 8RH
Development:	Demolition of existing warehouse and erection of replacement warehouse for B8 Use with ancillary offices
<hr/>	
Applicant:	Powerbody Sports PLC
Agent:	CC Town Planning
Case Officer:	Jonathan Moore
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Ward:	Talavera Unitary Ward
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Reason for Referral:	Major Application in excess of 10,000 sq. m
Committee Date:	15/08/2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE CONDITIONS AS SET OUT BELOW WITH DELEGATED AUTHORITY TO THE ASSISTANT DIRECTOR FOR PLANNING TO APPROVE ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY;

and SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT to secure the following planning obligations:

- **Construction Training**
- **Monitoring Fee**

Proposal

Full planning permission is sought for the demolition of an existing warehouse and the erection of replacement warehouse for B8 Use storage use with ancillary offices.

Consultations

The following consultees have raised no **objections** to the application:

- Environmental Health, Highways, Northants Police, Tree Officer, Anglian Water, Ecological Officer, Construction Futures, Environment Agency, Northamptonshire Badger Group

Comments are awaited from the Lead Local Flood Authority at the time of writing of the report and will be reported via the Addendum to this agenda.

One letter of objection has been received on increased noise pollution. There have been no letters of support.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Economic benefits
Design and Impact on Character of the Area
- Neighbour Amenity and Noise Impacts
- Parking and Access
- Flood Risk and Drainage
- Security
- Air Quality
- Landscaping/ Trees
- Ecology
- Contamination

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site covers approximately 3.5 hectares and is located on the Round Spinney Industrial Estate, to the north-east of Northampton.
- 1.2 The site is accessed from South Portway Close and comprises an existing distribution centre which has been in use for many years as offices and a distribution centre for the TNT UK parcel delivery and collection business. The existing warehouse totals approximately 8,000m². The site contains 56 HGV dock levellers, which are permitted for use 24 hours a day, 7 days a week.
- 1.3 The surrounding area is dominated by industrial and commercial uses. Further to the east of the site is a residential area, separated from the industrial park by a green space with an abundance of tree planting. The majority of the site is in a low risk flood zone.

2 CONSTRAINTS

- 2.1 The application site is within an existing business area in the Northampton Local Plan.
- 2.2 Flood Zones 2 (Medium Probability of flooding) and Flood Zone 3 (High Probability of flooding) extend into a small section of the site to the south east. The proposed building is situated outside of this area in Flood Zone 1 (Low Probability).

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposal is for the demolition of the existing warehouse building on the site and the erection of a new replacement warehouse building for B8 storage use with ancillary offices. The supporting documentation submitted with the application advises that the applicant, Body Power Sports, is one of the country's leading suppliers of gym equipment, providing equipment to both commercial and private customers. The company currently own and occupy the site adjacent to the application site, where they have a sales room, showroom and warehouse storage facility. The business is successful and due to growing demand they wish to expand. As such, the company has acquired the application site and are currently using the building for storage and distribution.
- 3.2 However, the building as it currently exists does not meet the company's requirements and therefore an application is submitted to erect a purpose built facility. The new warehouse building will have an approximate gross internal area of 12000m². The new building will be a larger footprint than existing with a maximum height of 15.72m and eaves height of 12.9m and will include additional warehouse space needed by the applicant, along with a newly designed external yard area which will allow for more efficient deliveries and collections. The building will also include an office area and staff and drivers area (including WC and shower facilities). The building will be finished in cladding panels and a curtain wall system.
- 3.3 There will be over 100 car parking spaces provided and access would be taken from South Portway Close. The car parking area would be provided on the west side of the site including EV charging points with cycle parking to the front.

4 RELEVANT PLANNING HISTORY

- 4.1 There is an extensive history since 1986 to the present day but none specifically relevant to the proposal.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise

5.2 Development Plan

- West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policies
 - SA Presumption in favour of sustainable development
 - S1 Distribution of development
 - S7 Provision of Jobs
 - S8 Distribution of Jobs
 - S10 Sustainable Development Principles
 - S11 Low Carbon and Renewable Energy
 - BN1 Green Infrastructure
 - BN2 Biodiversity
 - BN3 Woodland Enhancement and Creation
 - BN7 Flood Risk
 - BN7A Water Supply

- BN9 Planning for Pollution Control
 - E1 Employment areas
 - INF 2 Infrastructure Delivery
 - N1 Regeneration of Northampton
 - C2 New developments
- Northampton Local Plan (1997)– Saved Policy
 - E20 Design of new development

5.3 Material Considerations

National Planning Policy Framework (NPPF)

- Paragraph 104 Transport issues
- Paragraph 120 Effective use of land
- Paragraph 130 Design and amenity
- Paragraph 130 Security and crime prevention
- Paragraph 131 Trees
- Paragraph 159 Planning and Flood Risk
- Paragraph 174 Conserving the natural environment

Northampton Local Plan Part 2 (2011-2029) (Emerging)

- 5.4 Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 5.5 In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:
- 5.6 Policy 1 Presumption in favour of Sustainable Development- significant weight
 Policy 2 Place Making and design- moderate weight
 Policy 4 Amenity and Layout- moderate weight
 Policy 6 Health and well-being – significant weight
 Policy 7 Flood Risk and water management- significant weight
 Policy 17 Safeguarding employment sites- significant weight
 Policy 18- Supporting new employment- significant weight
 Policy 33 Highway network and safety- significant weight
 Policy 35 Parking- significant weight
- 5.7 Northampton Parking Standards Supplementary Planning Document
 Northamptonshire Parking Standards
 Planning out Crime SPG

6 RESPONSE TO CONSULTATION

- 6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Comment
Environmental Health	<p>No Objection: Environmental Protection have reviewed the Listers Geo Report dated August 2021 Report No 21.05.028. The preliminary risk assessment work and conceptual site model developed for site are agreed. Further works to provide comprehensive set of data in line with best practise are proposed for ground gases. The conclusions set out on Page 35 are agreed. Environmental Protection are happy to review this work once submitted. A condition to secure this further work should be added if this work is not available for review ahead of any decision on the application.</p> <p>Condition required to secure further site investigation work and condition for Construction Environmental Management Plan (CEMP)</p> <p>It is noted that any external fixed plant to serve the premises may not yet have been selected so we would suggest a condition is added to secure this information prior to occupation:</p> <p>Given the proximity of existing residential receptors Environmental Protection would request a Noise Management Scheme (NMP) condition is added to any decision document in a bid to get the end occupier to consider a “ Quiet Delivery” protocol for vehicle movements that do occur through the night. This would be a best practise/ management type document on how site will be managed to avoid noise nuisance and amenity issues. Appendix A of the Quiet Deliveries Good Practise Guidance- Key Principles and processes for retailers Dated April 2014 Department of Transport will assist the developer in forming a suitable NMP for site operational aspects. This would be desired given the close proximity of the residential estate.</p> <p>In terms of air quality need more information in terms of EV charge points (<i>further details required by condition</i>)</p>
Highways	<p>No Objection: Request that a suitably worded condition is secured that the proposal is laid out as per approved plans and the travel plans and transport assessment are considered acceptable</p>
Northants Police	<p>No Objection: No objection subject to control over access points staff parking to be monitored by CCTV and external lighting provided, all personnel doors to be secure by design and cycle parking closer to offices.</p>
Lead Local Flood Authority (LLFA)	Comments awaited.

Tree Officer	No Objection: No objections to the principle of development of the site, There is a commitment within the DAS to implement a soft landscape scheme in line with their consultant's recommendations, which is to be applauded, but those recommendations are not yet available.
Anglian Water	No Objection: No further conditions required
Ecology	No Objection: Pleased to see the applicant should be able to achieve the net biodiversity gain required. To secure the net gain would recommend first that a detailed soft landscaping plan be conditioned pre-occupation: this should be consistent with the Biodiversity Net Gain Plan, dwg 4768/01/21-2129 of 'Biodiversity Impact Assessment, Bodypower Sports PLC, Former TNT Site, South Portway Close' by Nicholsons Lockhart Garratt and dated March 2022. The soft landscaping will need to be maintained so would also recommend a LEMP.
Construction Futures	No Objection: Require financial contribution of towards construction training.
Environment Agency	No Objection: Subject to condition development is carried out in accordance with submitted Flood Risk Assessment and mitigation measures. Strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.
Northants Badger Group	No Objection: No objection in terms of effect on badgers in site vicinity

7 RESPONSE TO PUBLICITY

- 7.1 One letter of objection has been received on increased noise pollution. There have been no letters of support.

8 APPRAISAL

Main issues

- 8.1 The main issues to consider are the principle of development, economic benefits, design and impact on the appearance and character of the area, sustainable development, the effect on neighbouring amenity, noise, parking and access, drainage/ flood risk, security, air quality, landscaping, ecology and contamination.

Principle of development

- 8.2 The National Planning Policy Framework (NPPF) 2021 encourages sustainable forms of development and supports economic development.
- 8.3 The site is located within an allocated employment site with other industrial and commercial uses in close proximity. The proposed development is required to improve the facilities for an existing thriving business in the area and the development of the site for employment use therefore complies with Policy E1 of the Joint Core Strategy and Policies 17 and 18 of the submitted Northampton Local Plan Part 2 which seek to protect existing employment areas and support the development of appropriate new employment sites to contribute towards a vibrant, successful and developing local economy across West Northamptonshire. Although office uses should be ideally located in the town centre rather than in out of town locations, in this case the office is ancillary to the proposed predominant use of the building as B8 (storage and distribution) and is considered acceptable.

Economic benefits

- 8.4 Policy E1 of the Joint Core Strategy builds upon Policy S8 which seeks to concentrate new job growth in the urban area through regeneration and development. The NPPF states decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The application proposal would provide local employment to Northampton in the region of 25 additional staff. The site's proposed re-configuration also allows for further expansion and flexibility beyond this as and when required. This should be afforded some weight in decision making and in accordance with the NPPF which requires consideration of economic benefits as one of the three threads of "sustainable development".

Design and Impact on the Character of the Area

- 8.6 The NPPF states "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 130 states that decisions should ensure the development.
- 8.7 The new building would have an overall footprint of approximately 12,000m² with a re-designed external yard to allow for more efficient deliveries and collections. The building would be a steel framed structure, with an eaves height of 12.9 metres and ridge height of 15.72 metres designed with a curved roof in triplicate. The building would be finished with a combination of a predominantly grey coloured built-up cladding system, composite cladding panels and a curtain wall system with a prominent glazed corner feature located on the entrance corner of the building . The roof will be finished with a built-up roofing system. Materials would be secured by condition to ensure satisfactory external appearance.
- 8.8 The proposed building design is considered to be in keeping with the surrounding commercial character of the area and utilitarian styles of building and the materials and finishes appropriate for the locality where there are other metal clad buildings in the immediate locality

Sustainable Development

- 8.9 A presumption in favour of sustainable development is an over-arching theme contained within national and local planning policy. Policy S11 of the Joint Core Strategy seeks to ensure that new development contributes to a reduction in carbon emissions and adapts to the effects of climate change. For non-residential development over 500m² GIA a minimum rating of BREAAAM very good standard of equivalent is required and would be required by condition. The development would meet this standard as confirmed by the applicant.

Impact on amenity of neighbouring occupiers/ noise

- 8.10 The adjacent properties are characterised primarily by other commercial uses including mainly offices and industry. The closest residential occupiers are approximately over 60 metres way to the east of the site and separated by dense tree screening.
- 8.11 The proposed development would not be unduly overbearing or result in significant loss of outlook, light or privacy to the nearest residential occupier which are some distance away. This accords Policy E20 of the Northampton Local Plan and the aims of the NPPF in respect of protecting residential amenity.
- 8.12 The application is accompanied by a Noise Assessment which concludes that in all scenarios, the new building will be no worse in terms of noise impact than the current building.
- 8.13 Environmental Health raise no objection subject to conditions in respect of a noise assessment for proposed external plant, a Noise Management Plan for the site in operation and a Construction Environmental Management Plan to ensure the impacts of construction on surrounding amenity are appropriately mitigated. Such conditions are considered reasonable and appropriate to impose.

Parking and Highways

- 8.14 Paragraph 104 of the NPPF states that transport issues should be considered on development proposals so that the potential impacts of development on transport networks can be addressed;
- opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - opportunities to promote walking, cycling and public transport use are identified and pursued;
 - the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
- 8.15 The existing and proposed vehicular access into the site is from South Portway Close. The access would be altered to provide cars and HGVs separate access either side of a central gatehouse. Once within the site, the separation of cars and HGVs is maintained with lorry movements and lorry parking located to the east of the site and car parking provided to the north and west of the main building. 118 car parking spaces, including 12 disabled parking bays are proposed to the west of the warehouse building. 89 car parking spaces are proposed for the retained office use

in the north east of the site. The proposed parking would include the provision of EV charging bays in accordance with policy. In respect of the operational yard of the warehouse, four level access bays are proposed along with eight docks and 21 lorry bays. Cycle parking is proposed towards the entrance to the site, with a condition proposed for specific details to ensure secure cycle parking provision is achieved.

- 8.16 The nearest bus stops are located approximately 400m walking distance north-east of the site entrance along Barley Hill road in Southfields with a further bus stop located approximately 480m walking distance along Stone Circle Road within Round Spinney Industrial Estate providing services to the Town Centre and surrounding area.
- 8.17 A full transport assessment is submitted with the application which concludes that the increase in vehicle trips to and from the site as a result of the proposed development is not considered material, and not 'severe' in the context of the NPPF. A swept path plan also demonstrates that the site includes sufficient space on site for manoeuvring of HGVs when entering and exiting the site. The amount of parking provided is in accordance with the adopted Northamptonshire Parking Standards, with both the car parking and cycle parking provision being above the minimum permitted
- 8.18 Overall, it is considered that the proposed development can provide a safe access point for cars, HGVs and pedestrians with sufficient space on site to accommodate the movement of all vehicles. The Highway Authority raise no objection and it is considered that the proposal is acceptable on highway safety grounds and would not lead to any adverse highway or parking impacts.

Drainage and Flood Risk

- 8.19 The NPPF seeks to ensure that proposals for new development are appropriately located away from areas with a high risk of flooding and to ensure that the development does not lead to an increase in flood risk elsewhere. Policy BN7 of the Joint Core Strategy requires that new development demonstrates there is no risk of flooding to existing properties and that the development is (or can be) safe, seeking to improve existing flood risk management.
- 8.20 The majority of site lies within a low risk Flood Zone (Flood Zone 1) with a small section of the south eastern corner situated with Flood Zone 2 (Medium Probability of flooding) and Flood Zone 3 (High Probability of flooding). The proposed building would be situated in its entirety within Flood Zone 1.
- 8.21 The application is supported by a Flood Risk Assessment (FRA) which has been subject to assessment by the relevant drainage authorities. The Environment Agency and Anglian Water raise no objection to the proposal subject to conditions to ensure the development is carried out in accordance with the submitted FRA and mitigation measures therein. The comments of the Lead Local Flood Authority are awaited and will be reported to Committee via the addendum to this agenda.

Security and Crime Prevention

- 8.22 The NPPF states "development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Policy S10 of the Joint Core Strategy reflects these aims.

- 8.23 The applicant has given consideration to the proposed layout to ensure personal safety and contends that natural surveillance of car parking is an important aspect of the design. The Northamptonshire Crime Prevention Design Advisor considers that the proposal raises no objection and a standard security condition would be secured to allow further assessment of security measures for the site in terms of provision of CCTV, access and lighting, This accords with Policy S10 of the Joint Core Strategy and the Northamptonshire SPG on Planning Out Crime

Air Quality

- 8.24 The proposed development includes provision for electric vehicle charging points along with a travel plan which sets out a long term management strategy to minimise travel to and from the site by single occupancy car trips.
- 8.25 Environmental Health raise no objection subject to further details on the provision of EV charging points. A condition is proposed in this regard.

Landscaping and Trees

- 8.26 There are no protected trees on site and the site is not in a conservation area. The Council's Tree Officer recommends that a landscaping condition be agreed on any planning approval in line with Policy BN3 of the JCS. This will ensure an acceptable external appearance of development that assimilates into the surrounding area.

Ecology and Biodiversity

- 8.27 The application is supported by an Ecological Appraisal which has been assessed by the Council's Ecology Officer. The report recommends a soft landscaping plan and Landscape Ecology Management Plan which would achieve an overall net biodiversity gain. In accordance with the recommendations of the Council's Ecology Officer conditions are proposed for a detailed soft landscaping plan to accord with the submitted Biodiversity Net Gain Plan prior to occupation and a Landscape and Ecological Management Plan to ensure appropriate maintenance of any landscaping. Such conditions are considered reasonable to impose to ensure appropriate ecological mitigation.
- 8.28 Whilst the submitted ecology report notes the presence of badgers in the wider surrounding area, none are present on site and no activity has been identified on site. The Northants Badger Group raise no objection and separate legislation outside of planning under the Protection of Badgers Act 1992 is in place to ensure appropriate protection of the species should site circumstances change.

Contamination and Ground works

- 8.29 In respect of contamination, Environmental Health have commented on the applicant's submitted Technical report for Ground works and are satisfied with the initial findings and the preliminary risk assessment and conceptual model for the site are agreed. A condition is proposed for further assessment in respect of ground gases to ensure appropriate mitigation as necessary.

Section 106 Obligations

- 8.30 A contribution towards construction training has been requested and is considered reasonable to secure by a Section 106 legal agreement. This is in accordance with

Policy E6 of the Joint Core Strategy which seeks to secure employment and skills development for the local workforce.

9 FINANCIAL CONSIDERATIONS

9.1 Section 106 obligations as above.

10 PLANNING BALANCE AND CONCLUSION

10.1 The re-development of the site for Class B8 use within an established employment area is considered acceptable in principle. The proposal would deliver a sustainable development while providing significant employment benefits to the area. The proposal would not have any undue detrimental impact on the appearance and character of the area, neighbour amenity, highway safety, ecology, flood risk or security to comply with Saved Policies E20 of the Northampton Local Plan, Policies SA, S1, S7, S8, S10, S11, E1, BN1, BN2, BN3, BN7, BN7A, BN9, E1, INF2, N1 and C2 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 **RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE CONDITIONS AS SET OUT BELOW WITH DELEGATED AUTHORITY TO THE ASSISTANT DIRECTOR FOR PLANNING TO APPROVE ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY;**

and SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT to secure the following planning obligations:

- **Construction Training**
- **Monitoring Fee**

Time Limit

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2) The development hereby permitted shall be carried out in accordance with the following approved plans:
21/0360, 468401, 02, SK05C, SK06H, SK07A, SK08, SK11A, SK12B, SK13, SK14A, 05666/TR/01/P1, SK10B.

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

Construction and Environmental Management Plan (CEMP)

3) Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the

construction period and the approved measures shall be retained for the duration of all construction works unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall detail the following:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during demolition and construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.
- design of construction access
- hours of construction work
- control of noise and/or vibration
- measures to control overspill of light from security lighting

The approved method statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of construction works.

Reason: In the interests of residential amenity to comply with Policy BN9 of the Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

Materials and External Finishes

- 4) The development shall be carried out in accordance with the external materials and finishes as detailed on the approved drawings.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

Hard and Soft Landscaping

- 5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained. The scheme shall be consistent with the Biodiversity Net Gain Plan, dwg 4768/01/21-2129 of 'Biodiversity Impact Assessment, Bodypower Sports PLC, Former TNT Site, South Portway Close' by Nicholsons Lockhart Garratt and dated March 2022

Reason: In the interests of amenity and biodiversity to secure a satisfactory standard of development in accordance with the NPPF. This is a pre-commencement condition to ensure timely submission of details.

Implementation of Landscaping

- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

All hard landscaping shall be implemented in accordance with the approved details prior to occupation and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the NPPF.

Landscape and Ecological Management Plan

- 7) A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development.

The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy.

External Storage

- 8) No goods or articles shall be stored on any part of the site except inside the building.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality in accordance with Policy E20 of the Northampton Local Plan.

Bicycle Storage

- 9) Prior to occupation of the development hereby permitted, full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan.

Access, Parking Layout etc

- 10) The vehicular and pedestrian/cycle access, parking, servicing and turning areas shall be laid out in accordance with the approved plans prior to the first use of the development hereby permitted and retained thereafter. The car parking spaces shall at all times be reserved for the parking of vehicles by staff and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy E20 of the Northampton Local Plan.

Refuse Storage

- 11) Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building(s) hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

Drainage

- 12) The development shall be carried out in accordance with the submitted flood risk assessment prepared by David Smith Associates Ref: 20/41494, dated 03 September 2021 for Bodypower Sports PLC and the following mitigation measures:

1. The proposed site will not impact on any flood flow routes and there will be no loss of flood storage as a result of the development. (as stated in section 6.1.1.4 of the FRA).
2. The section of flood zone 3 within the east of the site will be used for goods vehicle car parking only. (as stated in section 6.1.1.2 of the FRA).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure appropriate flood mitigation and drainage for the site in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

External Lighting

- 13) Prior to occupation full details of all external lighting shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

Security Measures

- 14) Prior to the occupation of development approved, full details of security measures to include CCTV cameras, access controls and glazing shall be submitted to and agreed in writing and implemented in accordance with the approved details.

Reason: in the interests of security to comply with Policy S10 of the West Northamptonshire Joint Core Strategy.

Noise Assessment

- 15) Prior to occupation of the development hereby permitted, the applicant shall undertake a noise assessment in accordance with BS4142:2014+ A1 2019 of any newly proposed external fixed plant, and/or any relocated external fixed plant, to support the application. The report assessment and conclusions, together with any mitigation required to deliver a Low Impact, as set out in BS4142:2014+A1 2019, shall be submitted in writing and agreed to the satisfaction of the Local Planning Authority. Any agreed mitigation required shall be implemented at the application site prior to its use, and retained thereafter

Reason: In the interests of surrounding amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Noise Management

- 16) Before the development hereby permitted commences operation, a Noise Management scheme (NMP) for the site shall be agreed in writing with the Planning Authority that specifies the internal /external sources of noise on the site and the provisions to be made for their control on a day to day basis. The scheme(s) agreed shall be implemented prior to the development coming into use and shall be retained thereafter.

Reason: in the interests of residential amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

EV Charging

- 17) Notwithstanding the submitted details, prior to the first occupation of the approved development , full details of electric vehicle charging points shall be submitted for approval and constructed/ provided in accordance with the agreed details prior to occupation.

Reason: In interests of sustainable development to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

BREEAM

- 18) The development hereby approved shall be constructed to BREEAM Very Good Standard.

Reason: In the interests of sustainable development to accord with Policy S11 of the West Northamptonshire Joint Core Strategy.

Boundaries

- 19) Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

Use

- 20) The approved offices shall at all times remain ancillary to the approved B8 use.

Reason: To ensure that there is proper control of the development in accordance with the National Planning Policy Framework.

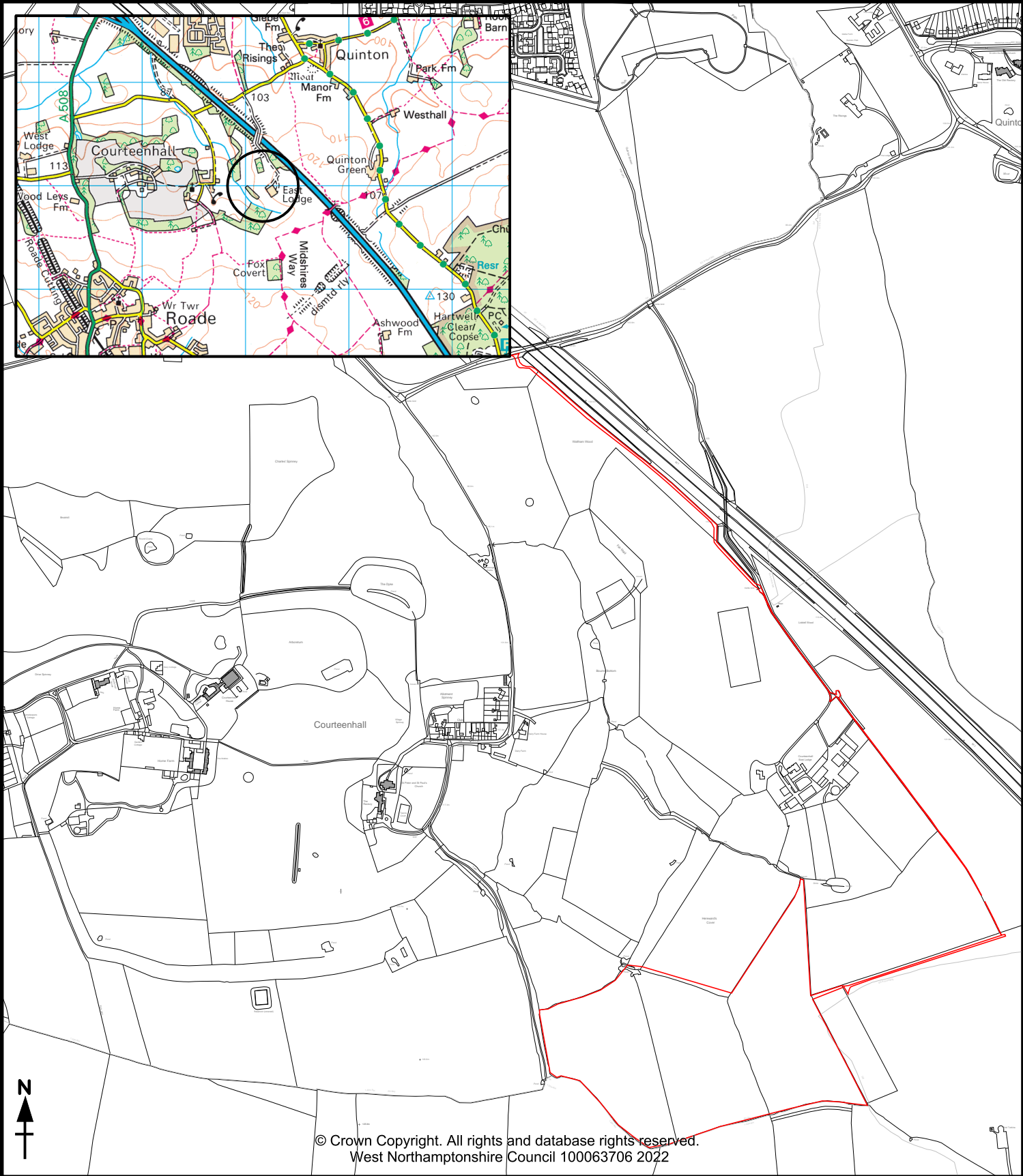
Contamination

- 21) A further assessment of the site with respect to ground gases shall be undertaken as set out on Page 35 of the Listers Geo Report dated August 2021, which complemented the application. This assessment shall have regard to the best practise set out in CIRIA 665 and BS 8584:2019 +A12019. This further work shall be submitted to and agreed in writing with the Local Planning Authority prior to first occupation of the approved building and implemented in accordance with those agreed details.

Reason: In the interests of safety and amenity to accord with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Application Number: WNS/2022/0662/MAF

Parish: Courteenhall, Quinton



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West Northamptonshire Council 100063706 2022

Town/Village: Quinton

 Site

 Listed Buildings

Site Area: 16.8904 Ha

Grid Location: SP7706752470

Map Scale: 1:10000

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Application Number: WNS/2022/0662/MAF

Location: Land adjacent to M1 and Waltham Wood Courteenhall Road
Quinton Northants

Proposal: Erection of 103,607sqm of polytunnels and associated infrastructure to include alterations to farm access road, hardstanding for car park and service yard and attenuation basins.

Applicant: Courteenhall Estate and Shockingly Fresh Ltd

Agent: Roebuck Land and Planning Ltd

Case Officer: Daniel Callis

Ward: Hackleton and Grange Park

Reason for Referral: Major development

Committee Date: 15/08/2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application is essentially an amendment to the extant planning permission (WNS/2021/0064/MAF).

The amount of polytunnels (and their height) is unchanged. The main differences between this scheme and the previous one are:

- Proposed earthworks (cut and fill) to create level platforms upon which the approved polytunnels will be sited.
- Retaining structure between the growing area and the service yard.
- A smaller area of hardstanding (whilst accommodating the same (consented) amount of parking and turning)
- Access track to the northern edge of the polytunnels
- Removal of the subterranean drainage reservoir, but increase in size of attenuation basin in north corner of site
- Use of gas heating for frost protection
- Proposed Septic tank

The implication of these changes is discussed in the report below.

Consultations

The following consultees have raised **objections** to the application:

- Quinton Parish Council

The following consultees have raised **no objections** to the application:

- WNC Highways, WNC Environmental Protection, WNC Archaeology, Environment Agency, Crime Prevention Design Advisor, Ramblers Assoc.

The following consultees have **yet to comment** on the application:

- Courteenhall Parish Council, Roade Parish Council, WNC Ecology, WNC Arboriculture, Lead Local Flood Authority, Natural England

No letters of objection have been received from local residents.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Landscape and Visual Impact
- Highway Safety
- Ecology
- Flooding and Drainage

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is located on the Courteenhall Estate, 900m north-east of Roade and 600m west of the M1. The site extends to 16.5Ha in total and is currently cultivated agricultural land, in arable production. The main part of the site is relatively flat and comprises 3 field parcels, separated by hedgerows.
- 1.2 The complex of buildings which together form East Lodge Farm lie to the north, which accommodate a mix of B2/B8/D1 uses and agricultural/equestrian activities. To the east of the site an existing poultry/broiler enterprise comprising large sheds, access track and associated facilities (adjacent to the M1).
- 1.3 To the immediate north-west, east and south-east of the site is a woodland block and to the west and south are arable fields. A group of 9 large wind turbines are located on the adjacent fields to the south-east.

2. CONSTRAINTS

- 2.1. The application site is within the open countryside

- 2.2. Public Right of Way (bridleway) KH3 crosses the site entrance and runs down the eastern edge of the site (within the site).
- 2.3. Public Right of Way (footpath) KZ15 runs along the southern edge of the site and (bridleway) KH2 runs up the western edge. Both are just outside the application site.
- 2.4. The land immediately to the north (the woodland and estate grounds beyond) are a Potential Wildlife Site (ref: 237).
- 2.5. The site is within 2km of 3 Local Wildlife Sites.
- 2.6. There is woodland immediate to the east and south-east of the site, as well as 2 hedgerows crossing the site north/south.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application is for the erection of polytunnels on the existing agricultural land. The polytunnels would cover an area of 10.36Ha/103,607sqm. There would also be approximately 6,500sqm of hardstanding, plus a SuDs basin.
- 3.2. Access is taken from the existing private road, which connects to Courteenhall Road and leads to the A508 Northampton Road. Internally, access will be shared with the adjacent agricultural uses. The private road will be extended to the site and will include two passing bays to enable HGVs and staff vehicles to pass.
- 3.3. Parking is provided for 25 cars, including 4 DDA spaces and 3 Electric Vehicle spaces with charging points. Cycle Storage is provided for up to 6 cycles. The hardstanding includes space for 2 HGVs to wait. The loading spaces are internal to the polytunnels and sufficient turning space is provided for within the yard area.
- 3.4. The polytunnels will be constructed of a galvanised steel frame covered in polythene sheeting. The proposed structures have an eaves height of 5m and an overall ridge height of 7m.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
WNS/2021/0064/MAF	Erection of 103,607sqm of polytunnels and associated infrastructure to include alterations to farm access road, hardstanding for car park and service yard and attenuation basins	APPROVED – Aug 2021

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- E1 – Existing Employment Areas
- BN2 - Biodiversity
- BN5 – Historic Environment
- R1 – Spatial Strategy for the Rural Areas
- R2 - Rural Economy

South Northamptonshire Local Plan (Part 2) (LPP2)

- 5.4. The relevant policies of the LPP2 are:

- SS1 – The Settlement Hierarchy
- SS2 – General Development and Design Principles
- EMP2 – Existing Commercial Sites
- EMP3 – New Employment Development
- EMP6 – Farm Diversification
- INF4 – Electric Vehicle Charging Points
- HE1 – Significance of Heritage Assets
- HE2 – Scheduled Ancient Monuments and Archaeology
- HE3 – Historic Parks and Gardens
- NE4 – Trees, Woodlands and Hedgerows
- NE5 – Biodiversity and Geodiversity

Material Considerations

- 5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

Consultee Name	Comment
Courteenhall Parish Council	No response received at time of writing report
Quinton Parish Council	Object The Transport Assessment uses outdated data and impact is assessed against new rural road, not historic road that do not meet modern standards. Significant increase in traffic on Courteenhall Road, detrimental to highway safety. All traffic should be directed to/from the site via the A508 only. Wheelwashing must be provided during construction.
Roade Parish Council	No response received at time of writing report
WNC Highways	No objection or further comment
WNC Environmental Protection	No objection Request conditions relating to: <ul style="list-style-type: none"> • contaminated land • external lighting • to secure the EV charging
WNC Archaeology	No objection Since the grant of WNS/2021/0064/MAF, the applicants have commissioned an archaeological contractor to prepare a trenching strategy and have liaised with WNC Archaeology. A trenching layout has been approved but no work has yet taken place. If the trenching takes place ahead of determination of this application and if the results are negative, no further conditions will be required. If the trenching identifies areas requiring mitigation, or if this application is not determined before the trenching is complete, then a new condition will be needed.
WNC Ecology	No response received at time of writing report
WNC Arboriculture	No response received at time of writing report
Lead Local Flood Authority	No response received at time of writing report
Natural England	No response received at time of writing report
Highways England	No comments to make
Environment Agency	No comments to make
Crime Prevention Design Advisor	No comments to make
Ramblers Association	No objection Bridleways and footpaths must remain free of obstruction.

7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1. There have been no representations from local residents.

8. APPRAISAL

Principle of Development

- 8.1. The principle of the development is established by the extant planning permission, granted a year ago.
- 8.2. Whilst there are no policies expressly supporting proposal for polytunnels in either the WNJCS or the Local Plan Part 2 (LPP2), there is general support for farm diversification proposals, provided they are compatible with their landscape setting. The proposed use of the development is for a controlled hydroponic (soil-free) form of growing fruit and vegetables in vertical containers to minimise the use of pesticides and reduce overall water usage (essentially an intensification of the existing arable use). It represents both a diversification and intensification of the existing traditional arable land use. The basic principle of the proposal, therefore, is considered potentially acceptable.
- 8.3. The provision of gas heating and a septic tank are considered to have no material impact, relative to the extant consent. This is reflected in the lack of any objection from the EA or Environmental Protection and also the lack of any neighbouring property in close proximity.

Impact on Character of Area

- 8.4. The proposed polytunnels themselves are unchanged from the extant permission. The main change in visual impact results from the proposed 'cut and fill' to create plateaus on which the polytunnels would be erected.
- 8.5. The Applicant had originally intended to use the existing gradient on the fields to run the nutrients back to central hydroponic pumping areas. However, supplier feedback has shown there is an opportunity to optimise this by levelling the site and locating smaller shipping container-based pumping stations throughout the growing area. This standardises the design into repeatable modules, significantly reduces pipe lengths and energy consumption associated with pumping the nutrients longer distances. This also simplifies the design and construction of the polytunnels, removing the need to have a varied roof profile to fit the existing ground variations.
- 8.6. It is proposed to undertake some earthworks to change (predominantly reduce) the overall ground level within each of the 3 fields to form level plateaus upon which to site the polytunnel structures. The highest parts of the site would be lowered by approximately 500mm (up to a maximum of 1000mm), whilst the greatest 'fill' would be up to a maximum of 1500mm (in the north-eastern and south-western corners).
- 8.7. Each plateau will be offset by the approved 10m to protect the field hedges. The finished height of the ground level will be c56 AOD, to mirror the height of the existing field edges and avoid the need for any ground raising alongside established hedgerows.
- 8.8. Overall, the structures will appear uniform and generally lower in height when compared to the consented scheme, when viewed from the adjacent PRow network and the wider landscape from the east, south and west. The northern site boundary remains screened by the adjacent woodland blocks.
- 8.9. The site slopes down to the north-east, where the approved yard area is to be constructed. Given the levels at this point will be slightly raised to accommodate the polytunnels, it will be necessary to introduce a retaining structure between the growing area and the yard. This would be no more than about 1200mm tall.

- 8.10. The reduction in the size of the main hardstanding, the addition of the access track and the enlargement of the attenuation basin are considered to have a negligible and neutral impact on the character and appearance of the site and wider landscape.
- 8.11. Over such a large site, the proposed changes in levels (predominantly reducing heights) are considered to be relatively modest and to have only a very minor impact on character and appearance. Overall, the visual impact is considered to be essentially the same as the extant scheme.
- 8.12. The long-term character of the site and surrounding landscape will be protected by a condition requiring the removal of the polytunnels (and the restoration of the land to agricultural use) in the event that the polytunnels become unused.

Highways, access and Rights of Way

- 8.13. The development will be accessed from Washbrook Lane/Courteenhall Road via the existing access immediately to the west of the M1. This access will be shared with the existing activities at East Lodge Farm, including a large broiler unit and some B2, B8, D1 and agricultural/equestrian uses.
- 8.14. The Local Highway Authority are satisfied that the access, the private road (including extension) and proposed hardstanding (and parking provision) are all adequate and satisfactory to accommodate the types and levels of traffic proposed.
- 8.15. Comments from Highways relating to the Transport Statement are still awaited at the time of writing this report and will hopefully be included in the written updates.
- 8.16. Whilst the comments from Quinton Parish Council are noted and their concerns appreciated, it is not possible in planning terms to absolutely limit or enforce exactly where traffic moves on the public highway network. The applicant has expressed that all traffic to/from the site will be directed to take the route to/from the A508 (i.e. not pass through Quinton). However, it is not feasible to formalise this via planning condition.
- 8.17. In terms of public rights of way, bridleway KH3 crosses the private site access road. The application will be required to ensure the route is kept open, even during construction phase. The other adjacent rights of way (KH2 and KZ15) are outside the site to the south and west and so are not directly impacted.
- 8.18. A condition will ensure that appropriate electric vehicle charging is provided, in accordance with LPP2 Policy INF4.

Ecology Impact

Legislative context

- 8.19. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.
- 8.20. In terms of European sites, the Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through 'appropriate assessment' that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may

proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.

- 8.21. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:
- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - b. That there is no satisfactory alternative.
 - c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 8.22. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.23. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.24. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.25. Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.

8.26. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

8.27. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is within the open countryside, contains fields hedges and trees, is immediately adjacent to (and between) multiple areas of woodland and is in proximity to Local Wildlife Sites.

8.28. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.

8.29. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

8.30. The application is supported by a detailed protected species surveys which concluded that:

- The site itself (arable fields) is of low biodiversity value.
- The proposed development aims to maintain and where possible enhance, through appropriate planting and management, the network of hedgerows and their associated field margins.
- The presence of habitat within the site with potential to support the terrestrial life-cycle of Great Crested Newt, nesting birds (including Schedule 1 species, namely Barn Owl and Red Kite), as well as roosting, commuting and foraging bats was observed within the site (along hedgerows, within trees and arable field margins). In addition, habitat suitable for breeding Great Crested Newt (adjacent ponds), nesting birds (including Schedule 1 species) and roosting, commuting and foraging bats was observed in habitat adjacent to the site.
- Habitat suitable for certain Species of Principle Importance (such as amphibians and Hedgehog) as listed on Section 41 of the NERC Act 2006 was also present within and adjacent to the site

8.31. The applicant has subsequently submitted a Breeding Bird Survey, which concludes:

- Breeding birds are present at the site.
- The site supports a small number of species of particular conservation importance.
- The habitat used by nesting birds is primarily associated with site boundary features.
- Schedule 1 species such as Barn Owl or Red Kite are currently absent from the site.
- Measures will be necessary to ensure compliance with wildlife legislation pertaining to nesting birds in general.
- Measures will be necessary to ensure adverse effects of the scheme on nesting birds, particularly species of conservation importance, are avoided/minimised. These measures will include:
 - the retention of site boundary features e.g. hedgerows, arable field margins
 - creation of new habitats such as retention ponds
 - management of existing and new habitat for the benefit of nesting birds

8.32. The applicant has also submitted a Great Crested Newt Survey, which concludes:

- Great Crested Newt currently could cause a potential constraint to the proposed development and consequently mitigation measures would be required to address the presence of this protected species.
- Based on the Bio-diversity Management Plan (BMP) and mitigation measures it is clear that there shall be no harm on GCNs and that there could be opportunities to enhance the local conservation status of the species at the site. The mitigation strategy, alongside the BMP, may be secured through planning conditions attached to the agreed planning permission decision.

8.33. The detailed comments of the Council's Ecology Officer are still awaited at this time. However, on the previous application, which was accompanied by the same Ecology Report, the Ecology Officer raised no objection (subject to conditions – which are repeated in this recommendation).

8.34. Officers are satisfied subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Flooding and Drainage

8.35. The amendment to the development compared to the extant permission includes an alteration to the hardstanding area (reduced size of main hardstanding, but inclusion of an internal access track within the site) and the omission of the below ground attenuation to the north of the site. No amendments have been made to the drainage in the southern part of the site.

8.36. There is a slight increase in the impermeable area overall (0.08Ha), which has resulted in a slightly larger SUDs attenuation basin in the northern corner of the site.

- 8.37. Comments from the Lead Local Flood Authority are awaited. However, they previously raised no objection, subject to conditions (which are repeated in the recommendation here).

Trees and hedges

- 8.38. The proposed polytunnels will be arranged within the existing fields, with the existing hedgerow that cross the site being left in situ. The development will leave adequate 'buffer' space around all trees and hedges (including those on the site peripheries) to prevent any harm to these existing landscape features and to allow them to continue to function as wildlife corridors.

Archaeology

- 8.39. LPP2 Policy HE2 covers Scheduled Ancient Monuments and Archaeology.
- 8.40. As confirmed by WNC Archaeology, there is some potential for as yet unknown archaeology, but the scheme will cause limited impact on below ground deposits. These matters can be adequately controlled by planning condition.

Neighbour amenity

- 8.41. There are no dwellings within 400m of the site. The nearest dwellings are at East Lodge Farm and are ancillary to the surrounding agricultural/estate functions. The nearest non-ancillary dwellings are in Roade village, some 900m distant. As a result, there will be no harm to neighbouring amenity.

9. FINANCIAL CONSIDERATIONS

- 9.1. The development is not CIL liable

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposal generally conforms with LPP1 policies S1(D) and R2, plus LPP2 Policies SS2(a) and EMP6 insofar as it constitutes a form of farm diversification.
- 10.2. In terms of considerations such as ecology, trees, loss of agricultural land, archaeology, highways, rights of way and residential amenity, the proposal is considered to be fairly neutral and result in no significant harms. The lack of any objection from the local community is also a neutral but pertinent consideration.
- 10.3. In terms of harms, the main impact will be upon the character and appearance of the site itself and, to a lesser extent, the wider landscape. The proposed earthworks will alter the landform of the site and the monolithic scale and mass of the structures will clearly have a very harmful effect on the site's rural setting, which must be weighed in the balance.
- 10.4. In terms of benefits, the development will represent a significant investment by the applicant in the local rural economy, the new operation will generate approximately 30 FTE jobs, the 'vertical farming' nature of the production inside the polytunnels will increase the quantity and quality of produce. The latter point will contribute towards the UK being less reliant on imported foods, helping in turn to reduce food miles and carbon footprint.
- 10.5. Putting everything into the balance, it is considered that the general over-arching policy support for farm diversification, and the benefits identified above, slightly outweigh the harms to the character and appearance of the site and landscape (which are already

mitigated by the site's specific context and surrounding topography and woodland - and can be further mitigated through landscape management), subject to suitable controls by planning condition. The precedent and fallback position of the extant planning permission is also a material consideration. It is recommended, therefore, that planning permission be granted.

11. RECOMMENDATION / CONDITIONS AND REASONS

11.1. RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approve plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:
 - Drawing No. 00 (site location plan)
 - Drawing No. 02 rev D (site layout plan)
 - Drawing No. 03 rev A (elevations)
 - Drawing No. 05 rev D (hardstanding layout)
 - Drawing No. 21014/02 (Sections - western area)
 - Drawing No. 21014/04 (Sections - central area)
 - Drawing No. 21014/06 (Sections - west to east)
 - Drawing No. 50597_2001_SK01 rev P02 (attenuation basin plan)
 - Drawing No. 08 (equestrian and bridleway access detail)
 - Drawing No. 50597_5501_103 rev P01 (swept path analysis of proposed access road)
 - Transport Statement (produced by Stantec, Ref: 50597, dated January 2020)

- Transport Statement Addendum (produced by Stantec, Ref: 50597, dated June 2021)
- Letter from Stantec dated 22nd July 2021

Reason : To clarify the permission and for the avoidance of doubt.

Height limit

3. No structure erected on the site shall exceed 7.5m in height above the existing ground levels, as determined by external measurement.

Reason : In the interests of visual amenity in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

Floor area limit

4. The floor area of the proposed polytunnels shall not exceed 103,607m² as determined by external measurement.

Reason : In order to avoid overdevelopment, to achieve a satisfactory form development and to comply with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

Retention of hedges

5. The existing hedges along the boundaries of the site (and the 2 hedges bisecting the site) shall be retained at a minimum height of not less than three metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason : To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan

Ecology

6. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in the Preliminary Ecological Appraisal (PEA) by Cambridge Ecology dated 23rd February 2021 (Ref: P0868-R-001d), Breeding Bird Survey (Ref: P0868-M-002b) by Cambridge Ecology dated 10th June 2021 and Great Crested Newt Mitigation Strategy (Doc. Ref: 202102008) by Herpetologic Ltd July 2021 unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

7. If the development hereby approved does not commence by 10th June 2023. A revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on bats, barn owls, birds, badgers, reptiles and great crested newts. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

Surface water drainage management

8. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the first use of the development. These shall include:
 - a. Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - b. Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
 - c. Cross sections of all attenuation basins (showing their profile relative to the existing ground levels).
 - d. Infiltration test results to BRE365

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Archaeology

9. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Tree protection

10. No development shall take place until the existing tree(s) and hedges to be retained around the site boundaries, and across the site, have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;
 - a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.
 - b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.
 - c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.
 - d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the

interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Construction method statement

11. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a. The parking of vehicles of site operatives and visitors;
 - b. The routeing of HGVs to and from the site;
 - c. Loading and unloading of plant and materials;
 - d. Storage of plant and materials used in constructing the development;
 - e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f. Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g. Measures to control the emission of dust, dirt and noise during construction;
 - h. A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i. Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Ecological management plan

12. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

The content of the BMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.

- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

Land contamination

13. No part of the development hereby permitted shall take place until:
- (a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and
 - (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Land contamination

14. If a potential risk from contamination is identified as a result of the work carried out under condition 13 above, then no part of the development hereby permitted shall take place until:
- (a) a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present has been carried out;
 - (b) the risks to receptors and to inform the remediation strategy proposals has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
 - (c) both (a) and (b) above has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Land contamination

15. If contamination is found by undertaking the work carried out under condition 14, then no development hereby permitted shall take place until
- (a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
 - (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy

Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

Land contamination

16. If remedial works have been identified in condition 15, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 15. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

Landscaping

17. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

Such details shall be provided prior to the erection of the polytunnels or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Lighting

18. Details of both the internal and external lighting, including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : In order to safeguard the visual amenities of the area and in the interests of ecology in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

EV charging

19. The development hereby permitted shall not be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to charge at least 3 vehicles simultaneously.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

SUDs management

20. No development shall be brought into use until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

SUDs verification

21. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the Drainage Statement ref 505DS dated 19th February 2021 prepared by Stantec and the letter from Stantec (ref: 50597/DS rev B) dated 1st March 2022, has been submitted in

writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Landscaping maintenance

22. A schedule of landscape maintenance for a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule unless otherwise approved in writing by the Local Planning Authority.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan Government guidance contained within the National Planning Policy Framework.

Parking provision

23. The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access, parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning/loading/unloading to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Cycle parking

24. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

Archaeology

25. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 8 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

Construction hours

26. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Local Plan.

Landscaping maintenance

27. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the polytunnels, or before the end of the planting season immediately following first occupation, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Restriction of use

28. The premises shall be used only for the purpose of growing food produce and any associated/ancillary activities or uses and for no other purpose whatsoever.

Reason : To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Unexpected contamination

29. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

Ecology

30. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats/newts until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

Remove if unused

31. If at any time the polytunnels fall into disuse and are unused for their approved purpose for a period of 6 months or more, all equipment (including the polytunnels, frames, their internal fittings and fixtures, utilities and services and the area hardstanding) hereby permitted shall be removed and the land restored to its former agricultural use.

Reason: This is a time limited permission only given the nature and lifespan of the development proposed and to ensure the long term protection of the character and appearance of the countryside in accordance with Policies SS2 of the South Northamptonshire Part 2 Local Plan.

Landscaping species

32. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason : To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.